

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:15-CV-01046
)	
Plaintiff,)	
)	JUDGE SOLOMON OLIVER, JR.
vs.)	
)	<u>NOTICE SUBMITTING CLEVELAND</u>
CITY OF CLEVELAND)	<u>DIVISION OF POLICE POLICY ON</u>
)	<u>INVESTIGATORY AND TRAFFIC</u>
Defendant.)	<u>STOPS DATA COLLECTION AND</u>
)	<u>ASSOCIATED TRAINING</u>
)	

The Monitoring Team respectfully submits the recently finalized Cleveland Division of Police (“Division”) Stop Form Policy (Exhibit A), which sets forth the technical data collection requirements for Investigatory and Traffic Stops. Additionally, the Monitoring Team submits the associated Stop Data Collection Training that guides officers on the purpose and manner of collecting stop data, and specifically how to complete the Stop Form (Exhibit B). By requiring that officers record data about their investigatory and traffic stops, these submissions support the Division’s previously approved Search and Seizure Policies, which provide officers with the substantive guidance, based on federal and state law, on expectations for all officer-citizen encounters. *See* Dkt. No. 299.

The Consent Decree requires the Division to “track data on all vehicle stops, investigatory stops, and searches.” *See* Dkt. No. 7, ¶260. Similarly, the Consent Decree sets forth the necessary data points for that tracking, including officer name and badge number; date, time, location, and duration of the stop; the subject’s actual or perceived race, ethnicity, age, and gender; during a traffic stop, the presence of passengers and whether and why any person was ordered from the vehicle; the reason for the stop, including reasonable suspicion; whether any pat-down, frisk, consensual, or non-consensual search occurred and the reasons for doing so; a description of any contraband or evidence seized; and the disposition of the stop. *Id.* (a-j). The Stop Form Policy meets these requirements and requires officers to enter the data into the Brazos computer system, subject to supervisor review. Any Stop Form that indicates that an officer did not have the legal basis to conduct a stop or search will be disapproved and reviewed at the Commander level. The Stop Data Collection Training provides instruction to officers on how to complete the data collection and explains the reasons behind the need to do so.

As such, the Stop Form Policy provides the technical support to the substantive guidance previously provided and directs officers on how to record their activities. The associated Stop Form Training explains how officers are to record their activities and explains the reasons why officers are required to do so. The development of the Stop Form Policy and Training is an important step in the Consent Decree, as officers will now record the data necessary to evaluate their activities in future assessments and for the Division to conduct future critical self-analysis.

II. CONCLUSION

The task of the Monitoring Team is to duly consider whether the City’s proposed Stop Form Policy and Stop Data Collection Training satisfy the terms of the Consent Decree. The

Monitoring Team concludes that they do, and, accordingly, requests that this Court approve both the Stop Form Policy and Stop Data Collection Training and order them effective immediately.

Respectfully submitted,

/s/ Hassan Aden

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CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2021, I served the foregoing document entitled **NOTICE**
SUBMITTING CLEVELAND DIVISION OF POLICE POLICY ON INVESTIGATORY
AND TRAFFIC STOPS DATA COLLECTION AND ASSOCIATED TRAINING via the
court's ECF system to all counsel of record.

/s/ Ayesha Hardaway _____
AYESHA HARDAWAY